

Amendments to the Drawings

Two replacement sheets are submitted herewith to amend FIGS. 1(a), 1(b), 7(a), and 7(b). The reference numeral for the output shaft in the above mentioned figures has been changed from 80 to 80'. No new matter has been added.

A replacement sheet is also submitted herewith to amend FIG. 4 to show the cut lines for FIG. 5. No new matter has been added.

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-11 are pending in the application, with claims 1, 3, 7, and 8 being the independent claims. Claims 12-25 are sought to be cancelled without prejudice to or disclaimer of the subject matter therein.

Support for the amendments to claim 1 may be found at least on pages 23-24 and 30-31 and in FIG. 4. Support for the amendments to claim 2 may be found at least on pages 20-21 and 25-26 and in FIG. 4. Support for the amendments to claim 4 may be found at least on pages 23-25 and in FIGS. 2 and 4. Support for the amendments to claim 10 may be found at least on pages 19 and 24-25 and in FIG. 4. Support for the amendments to claim 11 may be found at least on pages 26-27 and in FIG. 5. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Objections to the Drawings

The drawings were objected to as failing to comply with 37 CFR 1.84(p)(4) because the reference character "80" had been used to designate both the input and output shafts for the transmission means. FIGS. 1(a), 1(b), 7(a), and 7(b) are amended herewith to change the reference character for the output shaft from 80 to 80'. No new

matter has been added. Accordingly, it is respectfully requested that this objection be withdrawn.

The drawings were also objected to because the cut line for FIG. 5 was not show. FIG. 4 is amended herewith to indicate the cut line for FIG. 5. No new matter has been added. Accordingly, it is respectfully requested that this objection be withdrawn.

The drawings were also objected to under 37 CFR 1.83(a) because the first pump unit main body accommodated in the case member as claim in claim 17 was not shown in the drawings. Claim 17 is cancelled herewith. Accordingly, it is respectfully requested that this objection be withdrawn.

Rejections under 35 U.S.C. § 112

Claims 1-17 were rejected as being indefinite under 35 U.S.C. § 112, second paragraph. In particular the recitation of claim "outside" in claims 1 and 17 and the recitation of "connected to an actuator" in line 3, of claim 4 were considered unclear. Claim 1 is amended herewith to specify "the actuator is disposed away from the case member" and claim 17 has been cancelled. Claim 4 is amended herewith to specify the second pump unit is "fluidly-connectable to another actuator." Is believed that these amendments render the claims definite and accordingly it is respectfully requested that the rejection be withdrawn.

Allowable Subject Matter

Applicants thank the Examiner for indicating that claims 3 and 7-9 would be allowable if rewritten to overcome the rejection under 35 U.S.C. § 112 and placed in

independent form. Claim 3 is amended herein to overcome the rejection under 35 U.S.C. § 112 and to include the limitations of original claim 1. Claims 7 and 8 are each amended herein to overcome the rejection under 35 U.S.C. § 112 and to include the limitations of original claims 1 and 4. Accordingly claims 3, 7, and 8 and claim 9 which depends from claim 8, are patentable as indicated by the Examiner in paragraph 13 of the Office Action mailed January 3, 2007.

Rejections under 35 U.S.C. § 102

Claims 1, 2, 4-6, and 10-16 were rejected under 35 U.S.C. § 102(b) as being anticipated by US Pub. No. 2003/0062212 to Samejima *et al.* ("the Samejima publication"). Claims 1, 2, 13-15 were rejected under 35 U.S.C. § 102(b) as being anticipated by EP 0987137 to Ishimaru *et al.* ("the Ishimaru patent"). Claims 1, 2, 12-14, and 17 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,877,580 to Hasegawa *et al.* ("the Hasegawa patent"). Applicants respectfully traverse these rejections.

Claim 1, as amended herewith, recites a power-dividing device for a working vehicle having a first hydraulic pump unit that is "fluidly-connectable to an actuator through external conduits, the actuator being disposed away from the case member so as to drive a pair of drive wheels" and a power transmission mechanism "accommodated in the case member to transmit power from the input shaft to the PTO shaft" and "from the input shaft to the first pump shaft." The Samejima publication, the Ishimaru patent, and the Hasegawa patent, fail to disclose or suggest, either alone or in combination all of these recited features.

The claimed invention recites having an actuator, such as a motor unit, "being disposed away from the case member so as to drive a pair of drive wheels." This arrangement allows the disposition of a motor unit such that the motor shaft is positioned at an optimum position (for example, in the vicinity of the corresponding driving wheel) in constituting the main transmission path, while disposing the power-dividing device so that the PTO shaft is positioned at an optimum position in constituting the sub transmission path. In other words, the motor shaft of a hydraulic motor unit constituting the main transmission path and the PTO shaft constituting the sub transmission path may be positioned at their respective desired positions independently of each other, thereby easily and simply forming the main transmission path and the sub transmission path.

The Hasegawa patent discloses that a hydraulic pump unit 310 and a hydraulic motor unit 330 are accommodated in a single case member (See FIG. 6). Similarly, the Ishimaru patent discloses that hydraulic pump 71 and hydraulic motor 72 are accommodated in a single case member (See FIG. 4). Similarly, the Samejima publication discloses that hydraulic pump 53 and hydraulic motor 54 are accommodated in a single case member (See FIG. 11). There is no disclosure or suggestion in the Hasegawa patent, the Ishimaru patent, or the Samejima publication to have "the actuator being disposed away from the case member so as to drive a pair of drive wheels."

The claimed invention also recites a power transmission mechanism "accommodated in the case member to transmit power from the input shaft to the PTO shaft" and that "the power transmission from the input shaft to the first pump shaft is performed via the power transmission mechanism." Such an arrangement, that has the same power transmission mechanism transmitting power from the input shaft to the

pump shaft and from the input shaft to the PTO shaft allows for compacting the device as a whole and reducing the cost as a result of reducing the number of components.

The Ishimaru patent discloses separate power transmission mechanisms for transmitting power from the input shaft to the pump shaft and from the input shaft to the PTO shaft. A power transmission from the input shaft (52) to the PTO shaft (21) is performed by a first set of gears (54 and 63), while the power transmission from input shaft (52) to pump shaft (73) is performed by a second set of gears (53 and 55) (See FIG. 4). Similarly, the Samejima publication discloses separate power transmission mechanisms for transmitting power from the input shaft to the pump shaft and from the input shaft to the PTO shaft. There is no disclosure or suggestion in the Ishimaru patent or the Samejima publication to have a power transmission mechanism "accommodated in the case member to transmit power from the input shaft to the PTO shaft" and that "the power transmission from the input shaft to the first pump shaft is performed via the power transmission mechanism."

Accordingly, for at least the reasons noted above, claim 1 and claims 2, 4-6, and 10-11, which depend therefrom, are patentable. Applicants respectfully request that all rejections be withdrawn and the claims allowed.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the

outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

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Handwritten signature of John T. Haran in cursive script.

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